



The Commonwealth of Massachusetts

Department of Revenue

Leverett Saltonstall Building,

100 Cambridge Street, Boston 02204

L. JOYCE HAMPERS
COMMISSIONER

June 2, 1980

You request information concerning the income tax consequences to a retiring employee of transferring assets from one qualified pension plan as defined in Section 401, to a similar qualified pension plan.

The assets will be "rolled over" within the meaning of Section 402 (a)(5) or Section 403 (a)(4) of the Internal Revenue Code. With certain restrictions and limitations, these Sections permit a tax-free transfer of money or property from one qualified plan into another.

Massachusetts gross income is federal gross income with certain modifications. (General Laws Chapter 62, Section 2). Unless specifically stated in Chapter 62, an item of income which is not included in federal gross income for a taxable year is not included in Massachusetts gross income.

A retiring employee who transfers assets from one qualified pension plan to another similarly qualified pension plan will not realize any income from the transfer to the extent that no income is realized from such transfer for federal income tax purposes.

Very truly yours,

A handwritten signature in dark ink, appearing to read "L. Joyce Hampers", written over a horizontal line.

L. Joyce Hampers,
Commissioner of Revenue

LR 80-33

LJH/RSF/jmcd